

<b>Report Title:</b> Appointment of Chief Executive and Head of Paid Services	
<b>Report to:</b> Council	
<b>Date:</b> 20 <sup>th</sup> June 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP/2022/20
<b>Report Presented by:</b> Councillor Graham Butland, Chairman of the Appointments Committee and Leader of the Council	
<b>Enquiries to:</b> Penny Phillips, Human Resources Manager	

## **1. Purpose of the Report**

- 1.1 The purpose of the report is to report to Full Council the recommendations of the Appointments Committee held on Wednesday 15<sup>th</sup> June 2022 to appoint Dan Gascoyne to the post of Head of Paid Service (Chief Executive) and to seek Council's approval for the appointment.

## **2. Recommendations**

- 2.1 To appoint Dan Gascoyne as the Council's Head of Paid Service (Chief Executive) as well as the Electoral Returning Officer and Electoral Registration Officer with effect from a start date to be confirmed.
- 2.2 All the delegations under the Constitution which are in the name of the Chief Executive and/or Head of Paid Service and Returning Officer will be effective from the confirmed start date.

## **3. Summary of Issues**

- 3.1 Following the resignation of Andy Wright as Head of Paid Services (Chief Executive), the Council commenced a recruitment process to appoint a replacement. Andy Wright leaves the Council on 31<sup>st</sup> August 2022.
- 3.2 The Appointments Committee was convened on 31st March 2022 to commence the recruitment process supported by independent advice from Steve Guest, Head of Executive Recruitment and Assessment, Solace. The Members present were:

Councillor Graham Butland  
Councillor James Abbott  
Councillor Tom Cunningham  
Councillor David Mann  
Councillor Mrs Jackie Pell (in the absence of Councillor Radley)  
Councillor Mrs Gabrielle Spray  
Councillor Richard van Dulken

- 3.3 The Appointment process ran over Friday 10<sup>th</sup> June to Wednesday 14<sup>th</sup> June 2022 inclusive and included the following activities:

### 3.2 Virtual assessment centre – this included:

- 3.2.1 A written exercise, where the candidates were required to provide their analysis and recommendations in the form of a briefing note. This exercise provided candidates with the opportunity to demonstrate general strategic awareness and the key challenges facing Braintree in the role of Chief Executive. This was conducted under time pressure with no access to external sources or research.
- 3.2.2 A fact find and problem solving exercise which was set outside the context of the Chief Executive role, where the candidates were given a summary of the circumstances relating to a fictional organisation. After a brief planning period, they could explore the situation further by asking follow up questions. Then during a short time frame they were required to make a decision and recommend a course of action with a commercial focus, producing a written report.
- 3.2.3 A media role play scenario where the candidates were given the details of an emergency situation in the District and then given 15 minutes to prepare a statement for a press conference. They met with a journalist and were required to respond to a number of questions after delivering their statement.
- 3.2.4 Psychometric profiling – the candidates were asked to complete three questionnaires which provide indicators for behavioural preferences, interpersonal behaviour, predictive styles for leadership/management and preferred approaches to working.

### 3.3 In person assessment centre at Causeway House – this entailed:

- 3.3.1 An External Stakeholder Panel which provided an opportunity for candidates to meet with a group of representatives from external partner organisations. The candidates began the session with a short icebreaker presentation relating to collaborative working and this was followed by questions from the panel to draw out further information about cross boundary working, networking and climate change.
- 3.3.2 Meeting with Corporate Management Team providing an opportunity for the candidates to engage with the wider senior team. The candidates were asked to give a short icebreaker presentation on their approach to the engagement of all employees in the achievement of organisational priorities. Following this managers asked questions of the candidates about their leadership, vision, experience and approach.
- 3.3.3 Speed meetings with a wider group of Elected Members enabling candidates to interact and respond to a variety of questions posed by the Members relating to their experience, approach, engagement with Members and career achievements.
- 3.4 Interview with the Appointment Committee which commenced with an unseen presentation, prepared 30 minutes before the interview on the topic of the strategic opportunities facing Braintree and the candidates plan for maximising their success. The interview explored the key competencies of the role and provided the opportunity for the candidate to demonstrate their suitability. It

also enabled Members to explore any gaps or queries identified from the previous assessment exercises.

- 3.5 Following the interview process with the Appointment Committee, in accordance with the Employment Procedure Rules, Cabinet was notified of the preferred candidate together and no objection was made to the making of the appointment.

### 3.5 Terms of the Appointment

- 3.5.1 The proposed appointment is recommended on terms which are in line with the Council's adopted Pay Policy Statement under the Localism Act 2011.
- 3.5.2 In line with the Statutory Guidance the terms of the appointment are detailed for the consideration by Full Council:
- 3.5.3 Joint Negotiating Committee for Local Authority Chief Executives (JNC) Spinal Column Point (SCP) 9297 - £132,975 per annum with incremental progression on 1<sup>st</sup> April 2023 to SCP 9299 - £135,447 per annum.
- 3.5.4 The value of the SCPs in the Chief Executive's grade will be uprated by the pay awards notified from time to time by the Joint Negotiating Committee for Chief Executives of Local Authorities and there will be progression through the band through the Council's performance management processes.
- 3.5.5 The Chief Executive also receives a Returning Officer Fee in respect of District Council, County Council, Parliamentary and European Elections and for other National and Local Referenda. The Fee for undertaking this role in respect of District and Parish Councillors is calculated by reference to the Scale of Fees and Expenses which is approved by Full Council. In respect of the Election of County Councillors, reference is made to the Scale of Fees and Expenses supplied by Essex County Council. Fees for conducting Parliamentary and European Elections and National Referenda are determined by way of Statutory Instrument.

## 4. Options

- 4.1 To approve the appointment
  - 4.1.1 The Council is required to appoint a Head of Paid Service. The Appointment Committee's recommendation is made following a robust recruitment process.
- 4.2 To decline to approve the appointment
  - 4.2.1 If Full Council declines to make the appointment in accordance with the recommendation that decision would leave the Council without a permanent arrangement and would leave the Council exposed to not being able to make effective and timely decisions or having the management structure in place to deliver services. Furthermore, a decision not to appoint may expose the Council to the risk of a claim in employment law.

## **5. Next Steps**

- 5.1 Pre-employment checks will be completed for the successful candidate and following receipt, the contract of employment with associated terms and conditions will be issued.

## **6. Financial Implications**

- 6.1 The appointment recommended is within the Council's adopted budget profile. Any appointment must be made having considered the Council's Pay Policy Statement issued under Section 40 of the Localism Act 2011.

## **7. Legal Implications**

- 7.1 The Council is required to appoint a Head of Paid Services. The appointment of a permanent post holder must be undertaken in accordance with the Constitution (Officer Employment Procedure Rules) and The Local Authorities (Standing Orders) (England) Regulations 2001.
- 7.2 The appointment of the Head of Paid Services/Chief Executive is a decision of Full Council. All Councillors are asked to consider the appointment of the recommended Candidate as the final decision maker.
- 7.3 The recruitment process undertaken by the Council meets with its obligations under the Constitution and The Local Authorities (Standing Orders) (England) Regulations 2001.

## **8. Other Implications**

- 8.1 The Appointment Committee ensured that the appointment process was conducted in such a way as to reflect the need for the appointed person to be engaged with the community.
- 8.1 The appointment will ensure the continued progress and growth of the organisation.

## **9. Equality and Diversity Implications**

- 9.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 9.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

9.3 The appointment process has been in accordance with the Council's recruitment policy.

## **10. List of Appendices**

10.1 None.

## **11. Background Papers**

11.1 Minutes of the Appointment Committee held on:

- Officer Employment Procedure Rules -Chapter Two of the Constitution
- [Appointment Committee 31<sup>st</sup> March 2022](#)
- [Appointment Committee 15<sup>th</sup> June 2022](#)